
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

February 1, 2022

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held via ZOOM live stream at 7:00 P.M.

Roll Call: Conry, Cox, Heinrich, Norris and Ron.

Also Present: Matthew Hall, Manager
Laurie A. Barton, Borough Clerk
Leslie Parikh, Attorney

Absent: Noone

Deputy Mayor Conry led everyone in the flag salute.

Deputy Mayor Conry read the following statement into record:

The requirements of the Open Public Meetings Law, P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Express-Times (Warren County Edition and Star Ledger) and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law

PUBLIC COMMENT

Mel Thiel, BID Executive Director of BID, reminded everyone that February 10th is the Business Recognition reception at Hawke Pointe.

Ribbon cutting for a new business on East Washington Avenue will be February 12th, at the Rooted Lion.

Chris Caruso, East Washington Avenue, inquired about his application and the time frame in getting Zoning approval letters and letter of support for Cannabis business. Inquired about moving up process.

Matthew Bruce, Jackson Valley Rd., Oxford, NJ, stated he is looking forward with cooperating and doing a presentation regarding his Cannabis business. He has already started the process. Appreciate everyone's hard work and looks forward to hearing back at the next meeting.

Hearing no further public comment, motion made by Heinrich and seconded by Norris to close the public portion, all were in favor.

MINUTES

Motion made by and seconded by to approve the following minutes;

Regular Meeting Minutes: 12/07/21
Executive Session: 12/07/21
Regular Meeting Minutes 12/21/21
Executive Session: 12/21/21
Bill Pay: 12/28/21

All were in favor with the following exception:
Heinrich and Norris abstained on 12/7/22 Regular minutes and Ron abstained from all minutes.

OLD BUSINESS

2-West Washington LLC-Presentation

Mark Mulligan representative, explained the reason coming before the governing body. Issue of special zone of redevelopment, whereas Council has to give the approval before the Land Use Board can approve modification of the building that houses the Wells Fargo bank. The bank is moving out, but they have three years left of the lease. Trying to get another financial institution in the space or if Wells Fargo will allow a buyout of the lease.

Motion

Motion made by Heinrich and seconded by Norris to approve Resolution 2022-30:

Roll Call: Conry, Cox, Heinrich, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

BOROUGH OF WASHINGTON

WARREN COUNTY, NEW JERSEY

RESOLUTION 2022-30

RESOLUTION DESIGNATING 2 WEST WASHINGTON, LLC AS THE REDEVELOPER OF CERTAIN PROPERTY (BLOCK 23, LOTS 17 AND 18; BLOCK 24, LOT 35) AND AUTHORIZING EXECUTION OF A REDEVELOPER'S AGREEMENT AND ESCROW AGREEMENT WITH 2 WEST WASHINGTON, LLC

WHEREAS, the Mayor and Borough Council of the Borough of Washington in its capacity as the municipal governing body and as a redevelopment entity (the “Borough Council”) is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, in accordance with the provision of the Redevelopment Law, the Borough Council designated certain properties within the Borough as an area in need of redevelopment (collectively, the “Redevelopment Area”) and divided such area into six (6) sub-areas; and

WHEREAS, the Town Council adopted the Downtown Redevelopment Plan prepared by Heyer, Gruel, & Associates on April 7, 2009, for the Redevelopment Area in accordance with the provisions of the Redevelopment Law (the “Redevelopment Plan”); and

WHEREAS, properties located at 2 West Washington Avenue and designated as Block 23, Lots 17 and 18 and Block 24, Lot 35 on the Borough of Washington’s Tax Maps (the “Property”) are included in the Washington Area Core District of the Redevelopment Area;

WHEREAS, pursuant to the Redevelopment Plan, the Washington Avenue Core District is “[d]esignated to create an active mixed-use retail environment;” and

WHEREAS, the Redevelopment Plan provides:

Any development or construction within the Redevelopment Area must be undertaken in accordance with a fully executed valid and binding redevelopment agreement with the designated redevelopment entity. The redevelopment entity shall be the entity authorized by the Borough’s governing body to implement this Plan and carry out the various redevelopment projects within the Redevelopment Area. The redevelopment agreement must be in full force prior to granting final site plan approval.

WHEREAS, 2 West Washington, LLC (the “Redeveloper”) is the owner of the Property; and

WHEREAS, the Redeveloper has agreed to develop the Property and use it for the purposes implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper submitted to the Borough a conceptual site plan to convert the second and third floors of the Property to eleven (11) residential apartments (the “Concept Plan”); and

WHEREAS, the Redevelopment Law authorizes the Borough to arrange or contract with a redeveloper for the planning, construction, or undertaking or any project or redevelopment work in a redevelopment area; and

WHEREAS, the Borough has determined that the Concept Plan is consistent with and meets the goals of the Redevelopment Plan and that it is in the best interest of the community to designate Redeveloper as the redeveloper of the Property;

WHEREAS, the Borough believes that the redevelopment of the Property in the manner proposed by the Redeveloper is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the Borough's residents and is in accord with the public purpose and provisions of the Redevelopment Law; and

WHEREAS, the Borough has determined that it is in the best interest of the community for the Borough to enter into a certain Redeveloper's Agreement and Escrow Agreement with the Redeveloper, the form of which will be approved by the governing body at a later date.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council, as a redevelopment entity, hereby authorizes the Borough Attorney to draft a Redevelopment Agreement and Escrow Agreement by and between the Borough of Washington, as a redevelopment entity, and 2 West Washington, LLC, concerning the Property identified as Block 23, Lots 17 and 18 and Block 24, Lot 35 on the Tax Map of the Borough of Washington; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council, upon the full execution of a Redevelopment Agreement by the Borough of Washington and Washington 31, LLC, the Borough will recognize 2 West Washington, LLC as Redeveloper of the Property identified as Block 23, Lots 17 and 18 and Block 24, Lot 35 on the Tax Map of the Borough of Washington as provided for and in accordance with the provisions of the Redevelopment Law; and

BE IT FURTHER RESOLVED, that said recognition of 2 West Washington, LLC as Redeveloper of the Property identified as Block 23, Lots 17 and 18 and Block 24, Lot 35 on the Tax Map of the Borough of Washington is subject to and contingent upon 2 West Washington, LLC (1) working collaboratively with the Borough's Land Use Board and its professionals regarding the Redeveloper's proposed development on the Property; (2) meeting with the Borough's Department of Public Works to coordinate the timing and design of public and private infrastructure improvements, including road resurfacing projects, if any; (3) paying any and all costs incurred by the Borough related to the implementation of this project as set forth in the Redevelopment Agreement and entering into an escrow agreement with the Borough, or replenishing any such escrow account already created as requested by the Borough, within ten (10) days of the adoption of this resolution; and (4) satisfying any other terms and conditions contained within the Redevelopment Agreement and required as part of any approval of the Borough Land Use Board; and

RESOLUTIONS

Motion made by Heinrich and seconded by Norris to adopt Resolution 2022-27

Roll Call: Conry, Cox, Heinrich, Norris and Ron.
Ayes: 5 Nays: 0
Motion passes.

RESOLUTION 2022-27

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to US BANK CUST/PC8 FIRSTRUST BK, 50 SO. 16TH ST SUITE 2050, PHILADELPHIA, PA 19102, in the amount of \$651.18 for taxes or other municipal liens assessed for the year 2019 in the name of BELL, FREDERICK as supposed owner, and in said assessment and sale were described as 15 VANNATTA ST, Block 81.01 Lot 3, which sale was evidenced by Certificate #20-00034 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1/12/2022 and before the right to redeem was cut off, as provided by law, Provident Bank claiming to have an interest in said lands, did redeem said lands claimed by US BANK CUST/PC8 FIRSTRUST BK by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,114.61 which is the amount necessary to redeem Tax Sale Certificate #20-00034.

NOW THEREFORE BE IT RESOLVED, on this 1st day of February, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US BANK CUST/PC8 FIRSTRUST BK, 50 SO. 16TH ST SUITE 2050, PHILADELPHIA, PA 19102 in the amount of **\$2,414.61** (This consists of \$2,114.61 Certificate Amount redeemed + \$300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 81.01 Lot 3 from the tax office records.

Motion made by Heinrich and seconded by Norris to adopt Resolution 2022-28

Roll Call: Conry, Cox, Heinrich, Norris and Ron.
Ayes: 5 Nays: 0
Motion passes.

RESOLUTION 2022-28

AMENDING RESOLUTION 2022-01 REGARDING THE OFFICIAL NEWSPAPERS

WHEREAS, pursuant to the Open Public Meetings Act, P.L. 1975, C.231 (“OPMA”), the Borough of Washington is required to file and post certain notices of public meetings of the Common Council of the Borough of Washington; and

WHEREAS, among the obligations imposed upon the Borough of Washington is the obligation

to file the said notices with newspapers of general circulation circulating in the Borough of Washington; and

WHEREAS, OPMA, specifically N.J.S.A. 10:4-9, requires that 48-hour notice be provided to at least two newspapers circulating within the municipality of all Council meetings; and

WHEREAS, in order to provide proper notice of special meetings, the Borough Council finds it necessary to designate two daily newspapers as official newspapers pursuant to OPMA; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, that the **Express Times, Express-Times Warren County Edition**, and the **Star Ledger** are designated as the official newspapers of the Common Council to receive notices of all meetings of the Common Council, pursuant to the provisions of the Open Public Meetings Act, P.L. 1975 C. 231

Motion made by Norris and seconded by Heinrich to adopt Resolution 2022-29

Roll Call: Conry, Cox, Heinrich, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

RESOLUTION 2022-29

RESOLUTION AUTHORIZING THE TAX ASSESSOR AND LEGAL COUNSEL OF THE BOROUGH OF WASHINGTON TO FILE AND PROSECUTE ANY AND ALL TAX APPEALS BEFORE THE WARREN COUNTY BOARD OF TAXATION AND THE TAX COURT OF NEW JERSEY

WHEREAS, the County Tax Board has issued a ruling requiring a Resolution by the Mayor and Council of each and every municipality in Warren County through their Administrator, Melissa Pritchett, CTA; and

WHEREAS, said Administrator requires that the Mayor and Council of each municipality in the County of Warren adopt a Resolution to authorize the Assessor of the municipality and their legal counsel to file and prosecute any and all tax appeals before the Warren County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, that Craig Brotons, CTA, Assessor of the Borough of Washington, County of Warren and State of New Jersey, and Richard M. Conley, Esq., Special Counsel for the Borough of Washington, County of Warren and State of New Jersey are hereby authorized to file, prosecute, stipulate, modify, agree upon and otherwise perform the duties which are required of said Assessor and Attorney, in the process of prosecution and/or filing of said Tax Appeals, within the jurisdiction of the Warren County Board of Taxation of the Tax Court of New Jersey.

VOUCHERS AND CLAIMS

Motion made by Norris seconded by Heinrich to pay vouchers and claims.

Roll Call: Conry, Cox, Heinrich, Norris and Ron.

Ayes: 5 Nays: 0

Motion passes.

EXECUTIVE SESSION

Motion made by Henrich and seconded by Ron to enter into executive session for Attorney Advice all were in favor.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss Attorney advice-Deputy Mayor. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion made by and seconded by to return to regular session at 7:50 p.m., all were in favor.

ADJOURN

Hearing no further business to come before Council, motion made by and seconded by to adjourn the meeting at 7: 50 PM, all were in favor.

Laurie A. Barton, RMC
Borough Clerk